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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOC #: _____
DATE FILED: 9/30/2022

CERTAIN UNDERWRITERS AT LLOYDS,
LONDON, INDIAN HARBOR INSURANCE
COMPANY, QBE SPECIALTY INSURANCE
COMPANY, STEADFAST INSURANCE
COMPANY, GENERAL SECURITY
INDEMNITY COMPANY OF ARIZONA,
UNITED SPECIALTY INSURANCE
COMPANY, LEXINGTON INSURANCE
COMPANY, SAFETY SPECIALTY
INSURANCE COMPANY, HDI GLOBAL
SPECIALTY SE, OLD REPUBLIC UNION
INSURANCE COMPANY,

Petitioners,

v.

OXFORD SQUARE CONDOMINIUM
ASSOCIATION, INC. and ROYAL WATER
DAMAGE, INC.,

Respondents.

**NOTICE OF MOTION FOR
DEFAULT JUDGEMENT
AGAINST RESPONDENT ROYAL
WATER DAMAGE, INC.**

Case No. 1:22-cv-2969-CM-BCM

9/30/2022
As Royal Water
has now appeared by
counsel at a conference
held on 9/28/2022, the
motion is DENIED and the
Default
is marked. See
transcript for
detail.

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Ashlyn M. Capote, Esq., and its exhibits, and the accompanying Memorandum of Law, Petitioners, Certain Underwriters at Lloyds, London, Indian Harbor Insurance Company, QBE Specialty Insurance Company, Steadfast Insurance Company, General Security Indemnity Company of Arizona, United Specialty Insurance Company, Lexington Insurance Company, Safety Specialty Insurance Company, HDI Global Specialty SE, and Old Republic Union Insurance Company (collectively, "Insurers" or "Petitioners"), by their attorneys, Goldberg Segalla, LLP, will move this Court at United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, before the Hon. Colleen McMahon, on a date to be determined by the Court, for an Order pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, Rule 55.2 of the Local

Rules of the United States District Court of the Southern District of New York, and Rule E5 of Judge Colleen McMahon's Individual Practices and Procedures, granting a default judgment in Petitioners' favor against Respondent Royal Water Damage, Inc. ("Royal") and upon granting Insurers' Petition, designating and appointing as umpire one of the candidates proposed by Petitioners for an arbitration between Petitioners and Respondents Oxford Square Condominium Association, Inc. and Royal Water Damage, Inc., which includes all matters in dispute between the parties, including an arbitrator's ability to serve, and retaining jurisdiction over and staying this matter until the arbitration has concluded.

THE ATTACHED LEGAL PAPERS ARE BEING SERVED ON YOU BECAUSE YOU HAVE FAILED TO APPEAR IN A LAWSUIT BROUGHT AGAINST YOU. IF YOU DO NOT ENTER AN APPEARANCE IN THE LAWSUIT ON OR BEFORE JULY 29, THE COURT WILL ENTER A DEFAULT JUDGMENT AGAINST YOU. IF YOU ARE A CORPORATION, YOU CAN ONLY APPEAR THROUGH AN ATTORNEY. IF YOU ARE AN INDIVIDUAL, YOU MAY APPEAR BY AN ATTORNEY OR PRO SE. IN EITHER EVENT, YOU MUST TAKE SOME ACTION OR A JUDGMENT WILL BE ENTERED AGAINST YOU. ENTRY OF A JUDGMENT MAY RESULT IN A LEVY AGAINST YOUR PROPERTY.

DATED: Buffalo, New York
June 30, 2022

GOLDBERG SEGALLA LLP

s/ Ashlyn M. Capote

By: _____
Ashlyn M. Capote
Jonathan Schapp
Attorneys for Petitioners
665 Main Street
Buffalo, New York 14203
Tel: (716) 566-5400
acapote@goldbergsegalla.com
jschapp@goldbergsegalla.com